

SENTENCING HEARINGDate: 11/08/22Start: 9:30amEnd: 10:03am

Judge Leonie M. Brinkema

Reporter: R. Montgomery**UNITED STATES of AMERICA**CASE NUMBER: 1:22cr86

Vs.

KEVIN MCAVENIACounsel/Govt.: Rachel Rothberg Counsel/Deft.: Gawin Flynn, Jr.Court adopts PSI ☐ without exceptions ☐ with the following exceptions: _____**SENTENCING GUIDELINES:**Upon Motion of ☐ Deft ☐ GovtOffense Level: 32

Court depart from G/L pursuant to:

Criminal History: I☐ USSG 5K1.1Imprisonment Range: 121 to 151 months☐ USSG 5C1.2Supervised Release Range: 5 years to Life☐ USSG 5K2.12

Restitution: \$ _____

☐ USSG 5H1.4Fine Range: \$ 35,000.00 to \$ 250,000.00☐ _____Special Assessment: \$ 100.00 per Count**JUDGMENT of the COURT:**BOP for 84 months, each count, concurrent; with credit for time servedSupervised Release for 15 Years, each count; concurrent

Supervised Probation for _____ Years

Restitution: \$ To be determined payable to _____Fine: \$ _____ ☐ Due Immediately ☐ Monthly payments of \$ _____

to begin _____ days from imposition of sentence/release

Special Assessment: \$ 200.00 ☐ Satisfied ☒ Due immediatelyFine/Costs Waived ☐ Interest Waived ☐**SPECIAL CONDITIONS:**

____ Deft. to remain drug free, In/Out patient treatment as directed.

____ Deft to pay costs as able _____ Deft to waive privacy

☒ Deft. to participate in mental health evaluation, treatment, medication, _____ counseling as directed.

____ Deft to pay costs as able _____ Deft to waive privacy

____ Pay Restitution of \$ _____, ☐ Due Immediately ☐ Monthly payments of \$ _____ to begin _____ days from release from custody.

____ Access to all financial information/records

____ No New Credit/No Purchases over \$ _____ without prior approval.

____ Seek and maintain full time employment _____ Full-time education program

____ Drug Testing Waived

____ Other: _____

RECOMMENDATION TO BOP:☒ Deft. to be designated to a Facility as close to New Jersey as possible.

____ Residential Drug Abuse Treatment Program (RDAP)

Defendant: ☒ Remanded ☐ Self Surrender/Bond cont.Deft has reviewed pgs 22-24 of psr with counselCourt finds deft has violated conditions of pretrial release.Deft advised of appeal rightsRestitution hearing set for 12/06/22 at 9:00am